

UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

STEPHEN ELLSWORTH, as an individual and as a Representative of the classes and on behalf of the general public,

No. C 12-02506 LB

Plaintiff.

V.

**U.S. BANK, N.A., and AMERICAN
SECURITY INSURANCE COMPANY.**

**AMENDED ORDER GRANTING IN
PART AND DENYING IN PART
PLAINTIFF'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

[ECF No. 149]

Defendants.

On November 14, 2013, Plaintiff Stephen Ellsworth filed an administrative motion to file under seal a number of exhibits he cites in support of his motion for class certification. *See Admin. Mot.*, ECF No. 149.¹ In an accompanying declaration, Ellsworth explains that he moves to portions of his reply brief and an accompanying expert report because Defendants designated the information as “confidential” under the parties’ protective order. *See id.* U.S. Bank and ASIC filed declarations supporting Ellsworth’s administrative motion on November 18, 2013. *See Tahdooahnippah Decl.*, ECF No. 150 (U.S. Bank); Kortz Decl., ECF No. 153 (ASIC). U.S. Bank and ASIC contend that the court should seal the excerpts at issue because they provide details of contracts between ASIC and

¹ Citations are to the Electronic Case File (“ECF”) with pin cites to the electronically-generated page numbers at the top of the document.

1 U.S. Bank. The court reviewed the parties' submissions and GRANTS IN PART and DENIES IN
 2 PART Ellsworth's administrative motion to file under seal, as indicated in the following table.

3 Document	4 Pin Cite	5 Ruling
6 Plaintiff's Reply Memorandum	7 15:25-26	8 Grant
9 Birny Birnbaum Decl. Ex. 1	10 4:9-12	11 Grant
	12 4:13-14 (up to the word "does")	13 Grant
	14 4:14-15 (ending at the period)	15 Deny - This statement does not reveal specific contract terms.
	16 4:15-16 (from the beginning of the sentence)	17 Grant
	18 4:21-25	19 Grant
	20 4: n.3 and n.4	21 Grant
	22 5:9-12, n.6	23 Deny - Revealing these details will not cause competitive harm.
	24 10:12, 14	25 Grant
	26 17:16-19	27 Grant
	28 17:21-22	29 Grant
	30 30:15-17	31 Grant
	32 30:18-20 (ending with the period)	33 Deny - Revealing these details will not cause competitive harm.
	34 30:20-21 (from the beginning of the sentence)	35 Grant
	36 30:26-29, n.35, n.36	37 Grant
	38 Pages 31-32	39 Deny - Revealing these details will not cause competitive harm.
	40 38:21, 22-23	41 Grant

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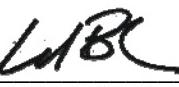
2 **CONCLUSION**

3 As specified above, the court GRANTS IN PART and DENIES IN PART Ellsworth's
4 administrative motion to file under seal. The parties shall respond as provided in Civil Local Rule
5 79.

6 This disposes of ECF No. 149.

7 **IT IS SO ORDERED.**

8 Dated: November 22, 2013



LAUREL BEELER
United States Magistrate Judge

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